

1 **PROVIDENCE CITY COUNCIL MEETING MINUTES**

2 **Providence City Land Use Authority for Exceptions to Title 11**

3 **May 10, 2016 6:00 p.m.**

4 **Providence City Office Building**

5 **15 South Main, Providence UT**

7 Call to Order: Mayor Calderwood

8 Roll Call of City Council Members: Mayor Calderwood

9 Attendance: Kirk Allen, Jeff Baldwin, John Drew, Dennis Giles, Roy Sneddon

10 Pledge of Allegiance: Mayor Calderwood

11
12 **Approval of the minutes**

13 **Item No. 1.** The Providence City Council will consider approval of the minutes of April 26, 2016 City Council
14 meeting.

15 **Motion to approve the minutes: J Drew, second - J Baldwin**

16 Corrections:

17 Page 2 line 45 R Drew should be J Drew

18 Page 2 line 21 of the new curb, gutter, sidewalk, and road

19 Page 3 line 19 attract young couples

20 Page 3 line 35 from and architect or engineer

21 Page 3 line 53 opposes the development

22 Page 3 line 44 pictures of the development from the Layton area project which the developer is envisioning

23 Page 3 line 1 J Baldwin asked if there were

24 Page 4 line 52 managed and operated

25 Page 5 line 40 if it is not on the ballot

26 Page 6 line 44 on the November ballot

27 Page 7 line 6 meeting by some people

28 **Vote: Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

29 **Nay: None**

30 **Abstained: None**

31 **Excused: None**

32 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City's
33 jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total
34 time allotted to public comment is 15 minutes The City Council may act on an item, if it arose subsequent to the
35 posting of this agenda and the City Council determines that an emergency exists.

- 36
 - No public comment

37 Business Item No. 1 was discussed first.

38 **Item No. 1. Resolution 021-2016:** The Providence City Council will consider for adoption a resolution appointing
39 John Parker as an alternate member on the Providence City Planning Commission.

40 **Motion to approve Resolution 021-2016: J Baldwin, second - R Sneddon**

- 41
 - John Parker explained he grew up in Providence. He spent 29 years in Millville, then moved back to Providence.
 - J Drew asked if J Parker was related to other Parker's in Providence.
 - R Sneddon asked what J Parker felt could be improved in the development of the valley.
 - J Parker said he doesn't really have any complaints.
 - J Parker was a non-destructive testing engineer at Thiokol. He met Mayor Calderwood when he was brought on for cost management.
 - K Allen felt J Parker was a very thoughtful man, with a lot of common sense.
 - Mayor Calderwood felt J Parker was a man who could look at both sides of an issue and make a balanced judgement.
 - J Drew feels the City will be a different place in 5 years. What Planning does today will clearly impact what the City will look like in the future.
 - J Parker felt property should be developed by following the rules and regulations. He realizes the City will

- change.
- R Sneddon asked, "If a resident says we ought to develop my property because the City will make money on the property tax of the homes," what would you say?
 - J Parker didn't feel much is made on property tax and that would have to go before the City Council.
- Vote:** **Yea:** **K Allen, J Baldwin, J Drew, D Giles, R Sneddon**
 Nay: **None**
 Abstained: **None**
 Excused: **None**

Public Hearing:

Item No. 1. 6:15 p.m. Proposed Easement Vacation: Pursuant to UCA 10-9a-609.5(2) the Providence City Council is holding a public hearing to receive public comment on a petition to vacate and remove a public utility easement located in the Providence Hollows Subdivision between Parcel No. 02-286-001 and 02-286-0002, (Lot 1, 509 North 470 East and Lot 2, 529 North 470 East, respectively). The City Council invites you to attend the hearing in order to offer your comments.

Mayor Calderwood opened the public hearing.

- Christine Jackman explained they are interested in vacating the easement because they purchased two lots and want to combine them into one.
- J Baldwin asked why the public easement was put there in the first place. It was explained that it is standard to have an easement around each lot.
- R Stapley asked if the property owner is willing to use both meters.
- C Jackman will check on meter use and let the City know if it should be abandoned.
- J Baldwin asked if the sewer has the same issue with the extra connection.
- R Stapley explained the sewer can be capped. It is not as critical as the water.

No other comments.

Mayor Calderwood closed the public hearing.

Providence City Land Use Authority for Exceptions to Title 11:

Mayor Calderwood

Item No. 1. Record of Decision: The Providence City Council, acting as the Providence City Land Use for Exceptions to Title 11, will consider a Petition for Exception from the requirements of Title 11 Subdivision Regulations, filed by Tie Geng and Gary Meunier, for property located at approximately 438 North 300 East.

Motion to consider the exception to Title 11: J Baldwin, second - R Sneddon

- J Baldwin felt the driveway looks significantly different than what exists.
- S Bankhead explained the request and how the applicant would like to be exempted from the complete subdivision process. She read a letter that was emailed to her from Tie Geng and Gary Meunier. The premise of the email was that in this case, the subdivision process could be handled through metes and bounds and that the subdivision process is an onerous requirement.
- J Baldwin felt this was similar to a property owner that came to the city a few months ago and ended up having to put in infrastructure that had not been installed. He felt that was a lot to expect from a buyer that is expecting a lot with improvements.
- R Sneddon felt the lot to the east would not be developed if the lot to the west were to be developed first.
- J Drew explained that in Planning Commission G Meunier said if he has to follow the subdivision process, he will sell the lot as one piece.
- D Giles asked if the existing home was connected to the sewer. R Stapley was not sure.
- K Allen felt that if the subdivision rules were followed a prospective buyer could be assured of the services.

Motion to grant G Meunier and his wife an exception to the subdivision process: R Sneddon, second - D Giles

Vote: **Yea:** **None**
 Nay: **K Allen, J Baldwin, J Drew, D Giles, R Sneddon**
 Abstained: **None**
 Excused: **None**

Business Items:

Item No. 2. Ordinance No. 2016-011: The Providence City Council will consider for adoption an ordinance vacating and removing a public utility easement located in the Providence Hollows Subdivision between Parcel No. 02-286-001 and 02-286-0002, (Lot 1, 509 North 470 East and Lot 2, 529 North 470 East, respectively).

Motion to approve Ordinance 2016-011: K Allen, second - J Drew

- J Baldwin asked for clarification on the map. He felt the lines shown were setback dimensions.
- S Bankhead they are not the setback dimensions. If the developer shows setbacks on the plat and they are recorded, then the property owners do not have flexibility with the setbacks allowed by our code.

Vote: Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

Nay: None

Abstained: None

Excused: None

Item No. 3. Ordinance No. 2016-012: The Providence City Council will consider for adoption an ordinance rezoning Parcel No. 02-115-0022, an 18.81-acre parcel located at approximately 1100 South 400 East, from Agricultural (AGR) to Single-Family Large (SFL).

Motion to approve Ordinance 2016-012: J Baldwin, second - J Drew

- It was explained that the Planning Commission held a public hearing at their last meeting.
- Curt Webb thanked the Council for serving and appreciated the work the Planning Commission did. He gave some historical perspective; explained the original design represented was a horseshoe shape with one-acre lots. He realizes the council has the ability to zone as they want, but there was an expectation that this area would be one-acre lots. C Webb felt there has been a real demand for one-acre lots. He asked if it was worth considering if Providence continues the estate lots, in as much as there is a demand.
- K Allen asked if a developer has to just accept what the City decides to zone. C Webb felt that is exactly what a developer has to deal with.
- C Webb felt developers take a risk as to how newly acquired property will be zoned. The developers don't have to live here, they just develop the lots. The City Council's responsibility is what is best for the city, not what is best for the developer.
- J Baldwin asked then where would the transition occur. Would the transition be pushed clear to the highway?
- J Drew said there is no other part of the city that has SFE and there is a demand. Where else would SFE go?
- Mayor Calderwood explained the Planning Commission looked at the property and recommended single-family large.
- It was explained that in single-family large, some of the lots may be less than the 20,500 lot size, because lot size averaging is allowed, but none can be less than 12,000.
- C Webb wondered if anyone had even discussed the possibility of making this SFE. He asked if it was still possible to consider SFE, even though Planning Commission recommended SFL.
- Ryan Stolworthy explained he has lived in Providence since 1983, other than school and a short stint in Nibley. He would like to see another subdivision, but his concern is the infrastructure in the area. He felt the exit for the area should be 1000 South. It is possible to go south but that is a poor road. He also expressed concern about the water pressure in the Highlands.
- J Drew explained that area of the Highlands has a pressure reducing station. R Stapley explained the water pressure is 50 PSI. R Stapley explained this development will be in Zone 2. Pressures in this subdivision should be fine.
- S Bankhead said most of Highlands that is built right now is SFT and some of the lots are less than 12,000, which is no longer allowed. Lot size averaging was done in that area and the bulk of homes east of 800 East is zoned SFL.
- K Allen felt SFL would increase the value of homes in the Hillsborough.
- Todd Crandall explained about 9 years ago he was looking for a large lot with a view. He explained he has been approached many times about lots. He did not have an expectation of how the property would be developed, but felt the horseshoe approach would be very nice for the area. He also felt the Planning Commission did a very good job evaluating the request. He asked S Bankhead if this is zoned SFL, what percentage of lots could be below SFL? She said the ordinance limits it to 10% in that area.

- J Drew asked if there are areas of Providence, not yet developed, that are designated SFE in the master plan.
- S Bankhead said the current master plan is a 2001 approved plan, and this property is shown as SFT, but SFL didn't come along until 2005 or 2006. Providence City's general plan is a guideline, not an ordinance. If there is a compelling reason, the Council can deviate from the master plan. The area we are discussing is shown as SFT in the 2001 plan.
- R Sneddon felt the Council has to stand in the middle. Some may feel the City is in league with the developer; they are not. Some are interested in open space and trails. He felt the City needed to look at all types of interests and needs. He did not feel it was easy.
- Todd Hendricks explained he wasn't born here but has been here since 1977. He has a slightly different perspective because he does not live in Hillsborough. He appreciated the comments and understands the comments from the Hillsborough residents. He would welcome SFE as he would like to be able to buy a larger lot.
- K Allen explained the City is sometimes accused of not having any zones for affordable housing.
- S Bankhead said even if this is zoned SFL, there is always the option of purchasing more than one lot and then combining the lots. It happens frequently.
- Jennifer Bettencourt explained she grew up in the mouth of Blacksmith Fork Canyon. She explained her situation is similar to Todd. They also looked for a large lot. She feels there is a market for estate lots. She is concerned about 400 East, the design of the development and access.
- Matt Hansen, Sierra Homes, explained they had asked for much smaller lots. The Executive Staff recommended SFT and felt the SFL zone was a good compromise. He felt there would be larger lots in the development, but did not feel they could all be one-acre lots.
- K Allen felt if it was profitable enough, he hoped there would be open areas within the development. M Hansen felt half-acre lots are in a high demand. He felt larger than half-acre lots are too much risk for the developer.
- Rowan Cecil felt there were two things discussed in Planning Commission that haven't been brought up. First larger lots use more water, making SFL a better choice. They did not like SFT because of the traffic impact on 400 East.
- C Webb expressed appreciation for the time given and the conversation.

Motion to consider SFE: J Drew, the motion died for lack of second.

Vote on original motion: Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

Nay: None

Abstained: None

Excused: None

Item No. 4. Discussion: The Providence City Council will discuss the proposed budget for Fiscal Year 2017 for all funds.

- S Bankhead reviewed the budget for fiscal year 2017; including all funds. She discussed some Public Works projects for 2016-2017. She discussed the need for another crossing guard for the Main Street/Center Street crossing by the Old Rock Church. The number of students crossing at that intersection meets the requirements for a designated crossing guard. Storm water fees need to be increased, especially in regards to construction. She suggested increasing all rates by \$2.
- Budget workshop was scheduled for Monday, May 16 at 6:30 pm.

Staff Reports: Items presented by Providence City Staff will be presented as information only.

Rob Stapley:

- Water main is in on Fuhrman Drive, testing will begin soon. Old gas lines need to be replaced. Everything should be done within two weeks on the gas and water lines.
- 400 South has started.
- Spring branches have been cleaned up.
- Crack sealing is done. It was done by priority, but some streets took much more sealant than what we had budgeted for.
- Potable divers cleaned the reservoirs.
- Jeff Myers, a new employee has been hired as the water lead.

- 1 • R Stapley received quotes on sewer cleaning and they also included a quote on televising. He does not
2 feel we need to contract televising. He recommends a 5-year plan with a company named Twin-D.

3 Skarlet Bankhead:

- 4 • Invoice register for April is attached to her staff report.
5 • Parks and Recreation is busy with baseball, softball and T-ball.
6 • Expansion at the cemetery needs to be done. It will be coming to the Council in the near future.

7 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
8 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
9 the City Council determines that an emergency exists.

- 10 • J Baldwin – no report.
11 • K Allen reported that he and Mayor Calderwood met with Gerald Knight to talk about gates to access the
12 west yard. G Knight did not want gates, but would consider leasing the City access. G Knight also wanted
13 \$6,000 – \$7,000 for the time and suffering from the City in obtaining the conditional use for the fence.
14 • R Sneddon reported he went to a meeting regarding the Hyrum, Nibley, Providence sewer. A private
15 company, Layton Construction, proposed a partnership where they finance, design, build, and operate the
16 plant for a fee. The water is recycled back into culinary. Mayor Calderwood felt that Hyrum currently runs
17 one of the best systems in the state. Hyrum wants to continue running the treatment plant. Mayor Dustin
18 from Nibley is concerned the current Hyrum operator will go to Logan when Logan opens their new plant.
19 • J Drew reported Mayor Calderwood asked him to review a proposal from a charter school. He explained
20 they plan on being up and running in 2017. They would like to locate in Providence. J Drew explained
21 Cache Makers, a business that teaches robotics etc., wants to lease space from the charter school.
22 • J Drew reported that during the last Planning Commission meeting, S Bankhead was explaining the
23 philosophy for the commercial area. J Drew felt the philosophy should be put in writing, so there was a
24 narrative description of the City's plan for development.
25 • D Giles – no report.
26 • Mayor Calderwood asked if R Sneddon, J Drew, or D Giles would like to attend the Mayor Association
27 dinner, this Saturday night.
28 • S Bankhead said Dennis Giles and his family are going to do the veteran's flags for the cemetery and have
29 been doing that for a few years. She thanked him for his service.

30 **Executive Session Notice:**

31 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as
32 allowed by Utah Code 52-4-205(1)(c).

33 The Providence City Council may enter into a closed session to discuss professional competence or other factors
34 allowed by Utah Code 52-4-205(1)(a).

35 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property
36 Utah Code 52-4-205(1) (d) and (e).

- 37 • No executive session.

38 **Motion to adjourn: J Drew, second - J Baldwin**

39 **Vote:** Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

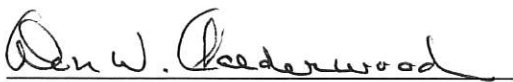
40 Nay: None

41 Abstained: None

42 Excused: None

43 Meeting adjourned at 9:00 p.m.

44 Minutes recorded by S Bankhead and prepared by C Craven.

45
46
47 

48 Don W. Calderwood, Mayor

49 
50 Skarlet Bankhead, City Recorder



City Council Meeting

May 10, 2016

Please Sign In

Name

City of Residence

Ryan Gial

Providence

Ben

Paul White

Kalater Saelon

Sharell Fames

Providence

Morris L. Pede

Providence

Ryan Stalworth

Providence

Jon Pashner

"

Brent Vale

